GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Registration & Stamps Department - allegation of corruption and irregularities against Sri A.Hari Babu, former Senior Assistant, Registrar Office (Original Branch), Rajahmundry, East Godavari District (now Retired) – Surprise check conducted by the Anti Corruption Bureau on 14-10-2010 – Disciplinary proceedings initiated – Regular enquiry conducted – Report communicated – Representation received – Provisional decision to impose penalty of 10% cut in pension for a period of two years – Show Cause Notice Issued – explanation submitted – Imposed a penalty of 10% cut in pension for a period of two years – Orders – Issued.

REVENUE (VIGILANCE-II) DEPARTMENT

G.O.Rt.No.255 **Dated:06-03-2017**

Read the following:

1.Radio Message from the DSP,ACB, Rajahmundry dt:15-10-2010.
2.DG, ACB Lr.Rc.No.66/DES-REG/2010, dt:9-5-2011.
3.Govt., Memo.No.48302/Vig.Vi(1)/2012-1, dt:1-6-2011.
4.G.O.Ms.No.1614, Rev (Vig.VI) Deptt., dt:9-8-2011.
5.G.O.Rt.No.993, Rev (Vig.VI) Deptt., dt:9-8-2011.
6.G.O.Rt.No.19, Rev (Vig.II) Deptt., dt:4-1-2012.
7.D&IG, R&S, AP., Hyd., Lr.No.Vig.3/15705/2010, dt:11-2-2016 along with enquiry report.
8.Govt., Memo.No.48302/Vig.II(1)/2010-5, dt:31-3-2016.
9.D&IG, R&S, AP., Hyd., Lr.No.Vig.3/15705/2010, dt:31-5-2016 along with representation of Sri A.Hari Babu, former Sr.Asst., (Retd).
10 Govt., Memo.No.48302/Vig.II(1)/2010-6, dt:6-10-2016.
11.DIG, R&S, Kakinada Lr.No.X/74/2012, dt:13-12-2016 along with explanation of Sri A.Hari Babu, former Sr.Asst., (Retd) dt:4-12-2016.
12.Govt., Lr.No.48302/Vig.II(1)/2010-7, dt:18-1-2017.
13.APPSC Lr.No.171/DC&C/1/2017, dt:14-2-2017.

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ORDER:

Whereas, in the reference 1st read above, the Director General, Anti Corruption Bureau has reported that on the allegation of corrupt practices by officials of Registrar Office (Original Branch), Rajahmundry, a Surprise check has been conducted over the Registrar Office (Original Branch), Rajahmundry, East Godavari District.

2. And whereas, in the reference 2nd read above, the Director General, Anti Corruption Bureau while furnishing the detailed surprise check report have recommended to initiate departmental action for major penalty for violation of Andhra Pradesh Civil Services (Conduct) Rules, 1964 against Sri A.Hari Babu, former Senior Assistant, Registrar Office (Original Branch) Rajahmundry (now Retired) and four others.

3. In the reference 4th read above, Government have initiated common disciplinary proceedings against all the officials involved in the surprise check since the nature of irregularity is common among them.

4. And whereas, in the reference 5th read above, Government have initiated disciplinary proceedings against Sri A.Hari Babu, former Senior Assistant, Registrar Office (Original Branch) Rajahmundry (now Retired) duly framing the following charge among four others.

Charge:

That Sri Addala Hari Babu, Senior Assistant, I/c Joint Sub Registrar-I, while present in the office indulged in corrupt practices, unauthorisedly engaged 6 private document writers and one private person for the collection of illegal gratifications from

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the parties and failed to supervise his sub ordinates properly giving them scope for indulging corrupt practices for collecting illegal gratifications and thereby committed grave misconduct exhibiting lack of integrity, lack of devotion to duty and slack supervision.

5. As the Charged Officer has not submitted Written Statement of Defense and the prescribed time limit has been elapsed, Government have examined the matter and appointed Deputy Inspector General, Registration & Stamps, Kakinada as Inquiring Authority in the reference 6th read above.

6. In the reference 7th read abvoe, the Director & Inspector General, Registration & Stamps, Andhra Pradesh, Hyderabad has transmitted the Inquiring Authority report for taking necessary action in the matter.

7. The Inquiring Authority has stated that based on the documentary and oral evidence adduced in the case before him and in view of the reasons given therein, he hold that the charge held proved against Sri A.Hari Babu, former Senior Assistant, Registrar Office (Original Branch) Rajahmundry (now Retired).

8. Government have examined the matter and communicated the Inquiring Authority report to the Charged Officer in the reference 8th read above.

9. In the reference 9th read above, the Charged Officer Sri A.Hari Babu, former Senior Assistant, Registrar Office (Original Branch) Rajahmundry (now Retired) has submitted representation mainly stating among others that it is an admitted fact that no amount has been found with him and no amount has been seized from him and stated that there is no evidence from the independent witnesses regarding the corrupt practices alleged against him and as no evidence is also put forth by the presenting officers, as to who are the public that visited the Sub Registrar's Office and paid the amounts as illegal gratification and for what purposes they have paid so and also stated that it is relevant at this stage to submit that in consequence of the striking down of Rule 200 of the Registration Rules under the Registration Act, 1908, everybody who is acquainted with drafting the deeds of conveyances at liberty to practice as a private document writer, thus, the presence of the said document writers is not prohibited. He has further stated that though the seizure of certain amounts have been admitted by the various document writers, private person and pan shop keepers, their version before the Inquiring Officer is otherwise and stated that they did not support the charge that the amounts were collected as illegal gratifications from the private parties, and that it was done so at the instance of the staff of the Sub Registrar's office in general or at his instance in particular. He has therefore, stated that mere suggestions given to them would not advance the case of the presenting officer, in proof of the charge and stated that the presenting officer did not confront the witnesses with the statements allegedly recorded by him and got them marked. He has further stated that in view of the hostility exhibited by the witnesses before the Inquiring Officer, the mere contents of the mediator's report wherein, there is a recital that the above six persons were found in possession of Rs.6,700/-, Rs. 500/-, Rs.620/- cannot be accepted. He has further stated that the only suggestion that they could not have given deposition on line with the depositions given by them before the Anti Corruption Bureau Officials remains as suggestion only without any proof and therefore, stated that it is a settled rule of appreciation of evidence in a domestic enquiry that a mere suggestion given by the presenting officer to a witness does not amount to proof and further stated that there is no evidence at all on

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record that the documents writers have collected illegal gratification from any public. He has also stated that regarding to counter part of the charge that he has failed to supervise the subordinates properly and gave them scope for indulging in corrupt practices for collection of illegal gratification, he has stated that no complaints have been made by the general public regarding the corrupt practices and illegal gratification and stated that either himself or against his superior officers have received any complaints from the public. He has further stated that he was only in charge Joint Sub Registrar-1 as stop gap arrangement. Therefore, the Charged Officer Sri A.Hari Babu, former Senior Assistant and In-charge Sub Registrar (Retired) has requested the Government to exonerate him from the charge framed against him.

10. Government after careful examination of the matter in the light of the findings of Inquiring Authority and keeping in view the representation of the Charged Officer observed that the reply is not convincing since it is proved that he engaged document writers and also failed to supervise his staff. Therefore, it is provisionally decided to impose a penalty of 10% cut in pension for a period of two years against Sri A.Hari Babu, former Senior Assistant, Registrar Office (Original Branch), Rajahmundry (now Retired). Accordingly, a Show Cause Notice has been issued in the reference 10th read above with a direction to show cause as to why the proposed punishment should not be imposed against him within 15 days from the date of receipt of the Show cause notice.

11. In the reference 11th read above, the Charged Officer has furnished the explanation in reply to Show Cause Notice through the Deputy Inspector General, Registration & Stamps, Kakinada stating that he was engaged with various duties of his own as in-charge Sub Registrar and thereby stated that he has no opportunity to oversee the corrupt practices if any in his capacity as in charge Sub Registrar as stop gap arrangement. He has further stated that he could supervise the official functions of the staff alone but not their indulging in collection of illegal gratification. Therefore, he has requested the Government, to exonerate him from the charge framed against him.

12. Government, have examined the matter and observed that the Charged Officer has not submitted any new grounds.

13. Government after careful examination of the matter have decided to confirm the provisional decision i.e., to impose a penalty of 10% cut in pension for a period of two years against Sri A.Hari Babu, former Senior Assistant, (Retired).

14. The Andhra Pradesh Public Service Commission have agreed with the proposal of the Government in the reference 13th read above (copy enclosed).

15. Therefore, Government, hereby order to impose a penalty of 10% cut in pension for a period of two years against Sri A.Hari Babu, former Senior Assistant (Retired), Registrar Office, Original Branch, Rajahmundry.

16. The Director & Inspector General (Registration & Stamps), Andhra Pradesh, Vijayawada shall take necessary action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

AJEYA KALLAM
CHIEF SECRETARY TO GOVERNMENT &
SPECIAL CHIEF SECRETARY (CT, P&E, R&S)

To
The Individual
(through the Director & Inspector General, Registration & Stamps,
Andhra Pradesh, Eedupugallu, Vijayawada, Krishna District.

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with a request to serve the order on the individual and furnish the served copy along with dated acknowledgement to Government for record).

The Director & Inspector General, Registration & Stamps,
Andhra Pradesh, Eedupugallu, Vijayawada, Krishna District.

Copy to:

The Secretary to the Vigilance Commission,
Andhra Pradesh Vigilance Commission, Velagapudi, A.P.Secretariat,
Guntur District, Andhra Pradesh.

The Director General, Anti Corruption Bureau, Pandit Nehru Bus Station,
NTR Administration Block, 2nd Floor, Vijayawada, Andhra Pradesh.

The Secretary, Andhra Pradesh Public Service Commission, Hyderabad.

The Deputy Inspector General, Registration & Stamps, Kakinada,
East Godavari District.

The Deputy Inspector General, Registration & Stamps, Eluru,
West Godavari District.

SF / SC.

//FORWARDED:: BY ORDER//

SECTION OFFICER